Filed 08/26/2008

Page 1 of 8

MC-275

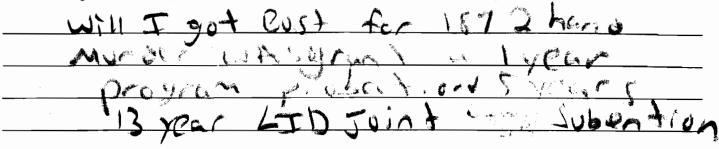
- Read the entire form before answering any questions.
- This petition must be clearly handwritten in ink or typed. You should exercise care to make sure all answers are true and correct. Because the petition includes a verification, the making of a statement that you know is false may result in a conviction for perjury.
- Answer all applicable questions in the proper spaces. If you need additional space, add an extra page and indicate that your answer is "continued on additional page."
- If you are filing this petition in the Superior Court, you need file only the original unless local rules require additional copies. Many courts require more copies.
- If you are filing this petition in the Court of Appeal, file the original and four copies of the petition and, if separately bound, one copy of any supporting documents.
- If you are filing this petition in the California Supreme Court, file the original and ten copies of the petition and, if separately bound, two copies of any supporting documents.
- Notify the Clerk of the Court in writing if you change your address after filing your petition.
- In most cases, the law requires service of a copy of the petition on the district attorney, city attorney, or city prosecutor. See Penal Code section 1475 and Government Code section 72193. You may serve the copy by mail.

Approved by the Judicial Council of California for use under rule 8.380 of the California Rules of Court [as amended effective January 1, 2007]. Subsequent amendments to rule 8.380 may change the number of copies to be furnished to the Supreme Court and Court of Appeal.

,	Case 3:08-cv-04086-JSW Document 1 Filed 08/26/2008 Page 2 of 8 MC-275 This petition concerns:
•	A conviction Parole
	A sentence Credits
	Jail or prison conditions Prison discipline
	Other (specify): Broken Probation 13 year
1.	Your name:
2.	Where are you incarcerated? Sun Diego A
3.	Why are you in custody? Criminal Conviction Civil Commitment
	Answer subdivisions a. through i. to the best of your ability.
	a. State reason for civil commitment or, if criminal conviction, state nature of offense and enhancements (for example, "robbery with use of a deadly weapon").
	157 2 hund murder 245 A
	assault with a boodly weapon
	b. Penal or other code sections:
	c. Name and location of sentencing or committing court: Freshing C
	d. Case number:
	e. Date convicted or committed: 2002 FCB 14
	f. Date sentenced: Todo, 14 /Vo
	g. Length of sentence:
	h. When do you expect to be released?
	i. Were you represented by counsel in the trial court? Yes.
	I was my own Lawyer door it to
	Cours (was a second of the course of the co
4.	What was the LAST plea you entered? (check one)
	Not guilty Guilty Nolo Contendere Other:
5.	If you pleaded not guilty, what kind of trial did you have?
	Jury Judge without a jury Submitted on transcript Awaiting trial

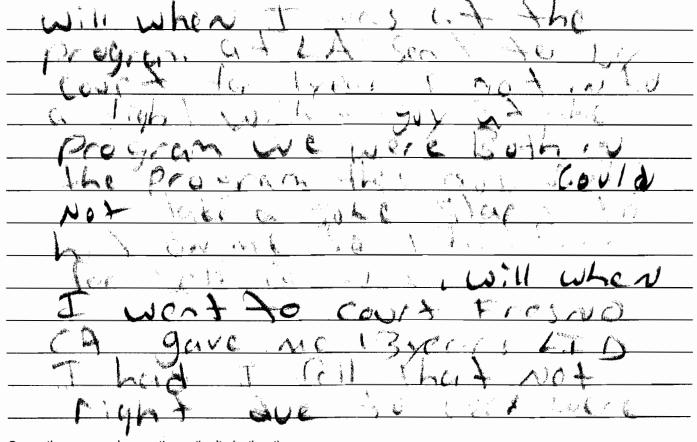
GROUNDS FOR RELIEF

Ground 1: State briefly the ground on which you base your claim for relief. For example, "the trial court imposed an illegal enhancement." (if you have additional grounds for relief, use a separate page for each ground. State ground 2 on page four. For additional grounds, make copies of page four and number the additional grounds in order.)



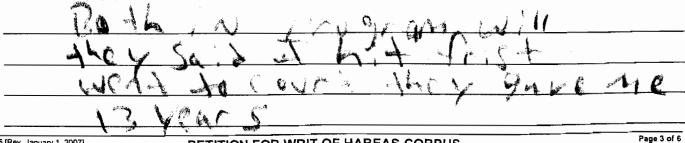
a. Supporting facts:

Tell your story briefly without citing cases or law. If you are challenging the legality of your conviction, describe the facts upon which your conviction is based. If necessary, attach additional pages. CAUTION: You must state facts, not conclusions. For example, if you are claiming incompetence of counsel you must state facts specifically setting forth what your attorney did or failed to do and how that affected your trial. Failure to allege sufficient facts will result in the denial of your petition. (See In re Swain (1949) 34 Cal.2d 300, 304.) A rule of thumb to follow is: who did exactly what to violate your rights at what time (when) or place (where). (If available, attach declarations, relevant records, transcripts, or other documents supporting your claim.)



b. Supporting cases, rules, or other authority (optional):

(Briefly discuss, or list by name and citation, the cases or other authorities that you think are relevant to your claim. If necessary, attach an extra page.)

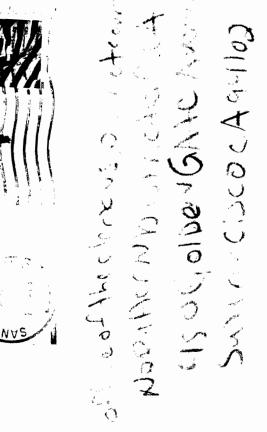


7. Ground 2 or Groundase 3:08 இந்திரி இதி: JSW Document 1 Filed 08/26/2008 Page 4 of 8 MC-2:	75
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a. Supporting facts:	
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b. Supporting cooper rules or other authority of	***************************************
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MC-275 [Rev. January 1, 2007] PETITION FOR WRIT OF HABEAS CORPUS Page 4 of 6	
ma amil Mall	

Case 5.06-CV-04060-35VV DOCUMENT 1 Filed 06/20/2006 Fage 5	MC 27
Did you appeal from the conviction, sentence, or commitment? Yes. No. If yes, give the following a. Name of court ("Court of Appeal" or "Appellate Dept. of Superior Court"):	g information:
b. Result c. Date of decision:	
d. Case number or citation of opinion, if known:	
12) Self detense	
(3)	
f. Were you represented by counsel on appeal?	dress, if known:
Did you seek review in the California Supreme Court?	on:
a. Result b. Date of decision:	
c. Case number or citation of opinion, if known:	
the state of the s	
(2) Self Jefer	
(3)	
If your petition makes a claim regarding your conviction, sentence, or commitment that you or your attorney did not	make on appeal,
explain why the claim was not made on appeal:	
:	
. Administrative Review: a If your petition concerns conditions of confinement or other claims for which there are administrative remedies,	failure to exhaust
a. If your petition concerns conditions of commenter of other claims for which there are administrative remedies may result in the denial of your petition, even if it is otherwise meritorious. (See <i>In re M</i> 52 Cal.App.3d 500 [125 Cal.Rptr. 286].) Explain what administrative review you sought or explain why you did	luszalski (1975)
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b. Did you seek the highest level of administrative review available? Yes. No. Attach documents that show you have exhausted your administrative remedies.	CVC
2-275 [Rev. January 1, 2007] PETITION FOR WRIT OF HABEAS CORPUS	Page 5 of 6

Page 6 of 8 Case 3:08-cv-04086-JSW Document 1 Filed 08/26/2008 12. Other than direct appeal, have you filed any other petitions, applications, or motions with respect to this conviction. MC-275 No. If no, skip to number 15. commitment, or issue in any court? Yes. If yes, continue with number 13. 13. a. (1) Name of court: (2) Nature of proceeding (for example, "habeas corpus petition"): (3) Issues raised: (a) (4) Result (Attach order or explain why unavailable): (5) Date of decision: b. (1) Name of court: (2) Nature of proceeding: (3) Issues raised: (a) (4) Result (Attach order or explain why unavailable): (5) Date of decision: c. For additional prior petitions, applications, or motions, provide the same information on a separate page. 14. If any of the courts listed in number 13 held a hearing, state name of court, date of hearing, nature of hearing, and result: 15. Explain any delay in the discovery of the claimed grounds for relief and in raising the claims in this petition. (See In re Swain (1949) 34 Cal.2d 300, 304.) 16. Are you presently represented by counsel? Yes. No. If yes, state the attorney's name and address, if known: 17. Do you have any petition, appeal, or other matter pending in any court? Yes. No. If yes, explain: 18. If this petition might lawfully have been made to a lower court, state the circumstances justifying an application to this court: of perjury under the laws of the State of California I, the undersigned, say: I am the petitioner in this action. declare under pen that the foregoing allegations and statements are true and correct, except as to matters that are stated on my information and belief, and as to those matters, I believe them to be true. Date: (SIGNATURE OF PETITIONER)





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